

The Honorable Tana Lin

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THROUGHTTEK CO., LTD.,

Plaintiff,

v.

ANKER INNOVATIONS CO. LTD.,
ANKER INNOVATIONS, LTD.,
ANKER TECHNOLOGY CORPORATION,
FANTANSIA TRADING LLC,
POWER MOBILE LIFE, LLC.,
AMAZON.COM INC.,
HOME DEPOT USA INC.,
MICRO CENTER INC.,
TARGET CORPORATION,
LOWE'S COMPANIES INC., and
WALMART INC.,

Defendants.

Case No. 2:23-CV-00515-TL

**STIPULATION FOR STAY OF
PROCEEDINGS AGAINST
RETAILER DEFENDANTS**

1 WHEREAS, on April 4, 2023, Plaintiff ThroughTEK Co., Ltd. (“ThroughTEK”) filed its
2 Complaint in the above-captioned action (the “Action”) alleging that Defendants Anker
3 Innovations, Ltd., Fantasia Trading LLC, and Power Mobile Life, LLC (the “Anker Defendants”
4 or “Group I Defendants”), together with Amazon.com Inc., Home Depot USA Inc., Micro Center
5 Inc., Target Corporation, Lowe’s Companies Inc. and Walmart Inc. (the “Retailer Defendants” or
6 “Group II Defendants”) (all together, the “Defendants”)¹ (collectively, “the Parties”) infringe
7 certain claims of ThroughTEK’s U.S. Pat. No. RE47,842 and 10,602,448 (collectively “the
8 Patents-in-Suit”);

9 WHEREAS, ThroughTEK contends that the Anker Defendants directly and indirectly
10 infringe the Patents-in-Suit by manufacturing, selling, offering to sell, or importing accused
11 products into the United States;

12 WHEREAS, ThroughTEK further contends that the Retailer Defendants infringe the
13 Patents-in-Suit by purchasing and then reselling or offering to resell accused products
14 manufactured or supplied by the Anker Defendants;

15 WHEREAS, the Parties believe that all relevant and discoverable technical information
16 with respect to the accused products and the Patents-in-Suit reside in the possession, custody,
17 and/or control of ThroughTEK and/or the Anker Defendants;

18 WHEREAS, the Parties believe that a stay of ThroughTEK’s claims against the Retailer
19 Defendants will advance judicial economy and simplify the issues for trial, by allowing the
20 underlying case between ThroughTEK and the Anker Defendants to proceed first on the merits,
21 including the resolution of ThroughTEK’s patent infringement claims against the Anker
22 Defendants and any defenses and counterclaims pled by the Anker Defendants;

23 WHEREAS, the Parties believe that an adjudication on the merits, settlement, and/or
24 dismissal of ThroughTEK’s claims against the Anker Defendants is likely to resolve
25 ThroughTEK’s claims against the Retailer Defendants;

27 ¹ Orrick, Herrington & Sutcliffe LLP is making a special appearance on behalf of Defendants Home Depot USA Inc.,
28 Micro Center Inc., Target Corporation, Lowe’s Companies Inc. and Walmart Inc, solely for purposes of this
Stipulation, and not for any other purpose in this case.

1 WHEREAS, discovery in this case has not yet begun, none of the Defendants have
2 responded to the Complaint, and no trial date has been set;

3 IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel, subject to
4 the approval of the Court, that:

- 5 1. All proceedings between ThroughTEK and the Retailer Defendants, including
6 ThroughTEK's claims for infringement of the patents-in-suit, are STAYED, without
7 prejudice to the right of ThroughTEK or any other Party to move to lift and/or modify
8 such stay for good cause shown; and
- 9 2. After an adjudication on the merits and/or dismissal of ThroughTEK's claims against
10 the Anker Defendants, the remaining Parties will meet and confer and jointly report to
11 the Court regarding the potential continuation of the stay, lifting of the stay, or the
12 dismissal of any remaining claims or defenses in this litigation within 30 days of said
13 entry of judgment or dismissal.

14 Dated: July 11, 2023

LAW OFFICE OF CARL J. MARQUARDT

15 By: /s/ Carl J. Marquardt

16 Carl J. Marquardt (WSBA No. 23257)
17 1126 34th Avenue, Suite 311
18 Seattle, WA 98122
19 Tel: (206) 388-4498
20 Email: carl@cjmlawoffice.com

Attorneys for Plaintiff ThroughTek Co., Ltd.

21 Dated: July 11, 2023

ORRICK, HERRINGTON & SUTCLIFFE LLP

22 By: s/ Mark S. Parris

23 Mark S. Parris (WSBA No. 13870)
24 401 Union Street, Suite 3300
25 Seattle, WA 98101
26 Tel: (206) 839-4300
27 Fax: (206) 839-4301
28 Email: mparris@orrick.com

*Attorneys for Defendants Anker Innovations Ltd.,
Fantasia LLC, and Power Mobile Life, LLC*

*Special appearance on behalf of Defendants Home
Depot USA Inc., Micro Center Inc., Target
Corporation, Lowe's Companies Inc. and Walmart
Inc.*

1 Dated: July 11, 2023 DLA PIPER

2
3 By: /s/Anthony Todaro

4 Anthony Todaro (WSBA No. 30391)

5 701 Fifth Avenue, Suite 6900

6 Seattle, WA 98104-7044

7 Tel: (206) 839-4800

8 Email: anthony.todaro@dlapiper.com

9 Jennifer Librach Nall

10 303 Colorado Street, Suite 3000

11 Austin, TX 78701

12 Tel: (512) 457.7249

13 E-mail: jennifer.nall@us.dlapiper.com

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15 *Attorneys for Defendant Amazon.com Inc.*

ORDER

Pursuant to the Parties' Stipulation, IT IS SO ORDERED.

Dated this 13th day of July, 2023.



Tana Lin
United States District Judge